UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,873	07/14/2003	Jerome Azema	TI-34922	8044

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ART UNIT	PAPER NUMBER
2137	

NOTIFICATION DATE	DELIVERY MODE
04/14/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)	
	10/618,873	AZEMA ET AL.	
Office Action Summary	Examiner	Art Unit	
	TECHANE J. GERGISO	2137	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>March 03, 2008</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-3,5-8,10-14,16-19 and 21-31</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-3,5-8,10-14,16-19 and 21-22 and 28</u> is/are rejected.

7)☒ Claim(s) <u>23-27 and 29-31</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All   b)☐ Some *   c)☐ None of:

         1.☒ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
             application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in
37 CFR 1.17(e), was filed in this application after final rejection. Since this application is
eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR
1.17(e) has been timely paid, the finality of the previous Office action has been
withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 03, 2008
has been entered.

2.   The applicant canceled claims 4, 9, 15 and 20.

3.   The applicant has amended claims 1, 5, 6, 12, 16, 17, 23, 25-31.

4.   Claims 1-3, 5-8, 10-14, 16-19 and 21-31 are pending.

Claim Objections

5.   Claims 3, 5, 8, 14 and 16 are objected to because of the following informalities:

Claim 3: line 3; claim 8: line 3; claim 14: line 3; and claim 19: line 3 recite " **reset/boot**".
The notation "/" is ambiguous to define the scope of the claims and the examiner
suggests replacing "**reset/boot**" with "**reset or reboot**".

Claim 5: line 2, and claim 16: line 2: recite "**and further comprising**". The examiner
suggests **removing "and"** replacing with "**further comprising**".

Claim 1: line 8; claim 6: 12; claim12: line 9; claim 17: line 12 recite "one ore more
normally hidden memory". The examiner objects "**normally**" because it renders
the claims ambiguous to define their scope by implying memory is normally
hidden.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 1, 6, 12 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

> Claims 1, 6, 12 and 17 recite the limitation **"the speed"** in lines 7, 11, 8 and 11
>
>   respectively.
>
> Claims 1, 6, 12 and 17 recite the limitation **"the enablement"** in lines 8, 12, 9 and 12
>
>   respectively.
>
> Claims 23, 24, 25, 26, 27 recite **"the steps of configuring performance characteristics"**
>
>   and refer back to their independent claim 1 for the specific step. However there is
>
>   not actual step of **"configuring performance characteristics"** in claim 1.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at

the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 1-3, 5-8, 10-14, 16-22 and 28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Geiger et al. (hereinafter referred to as Geiger, US Pat No.: 6, 463, 534) in

view of Drews (US Pat. No.: 6,647,494) and in further view of Ylonen et al. (hereinafter referred

to as Ylonen, US Pat. No.: 7,302,487).

As per claim 1:

Geiger discloses a method of configuring a processing device, comprising the steps of:

accessing a certificate bound to the processing device (column 3: lines 14-21; column 4: lines 23-35, lines 59-67; figure 2: 100-102); and

authenticating the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67; figure 2: 100-102).

Geiger does not explicitly disclose reading configuration parameters from the certificate,

if properly authenticated; configuring the processing device hardware responsive to the

configuration parameters. Drew in analogous art, however, disclose reading configuration

parameters from the certificate, if properly authenticated; configuring the processing device

hardware responsive to the configuration parameters (Abstract; column 2: lines 60-67; column 3:

lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The

authorization certificate provides security information that client platform 30 uses to perform

integrity checks and authenticate the sources of request messages or work orders that client

platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in

the art at the time the invention was made to modify the system disclosed by Geiger to include

reading configuration parameters from the certificate, if properly authenticated; configuring the

processing device hardware responsive to the configuration parameters. This modification would

have been obvious because a person having ordinary skill in the art would have been motivated

to do so to provide a system and method for checking authorization of remote configuration

operations including generating a request credential manifest to request an update of

configurable parameters on a client platform as suggested by Drew in (column 1: lines 35-45).

        Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component

of the processing device, access to one or more normally hidden memory locations or the enablement or

disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the

speed of a hardware component of the processing device, access to one or more normally hidden memory locations

or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440;

Figure 5: 558;). Therefore, it would have been obvious to a person having ordinary skill in the

art at the time the invention was made to modify the system disclosed by Geiger and Drew to

include set one or more of the speed of a hardware component of the processing device, access to one or more

normally hidden memory locations or the enablement or disablement of a hardware component. This

modification would have been obvious because a person having ordinary skill in the art would

have been motivated to do so to provide realize a system for providing security services in a data

communications network, which is easy to install and maintain as suggested Ylonen (column 4:

lines 25-25).

As per claim 6:

> Geiger discloses a processing device comprising:
>
> processing circuitry (figure 1: 11);
>
> a memory coupled to the processing circuitry (figure 4: 452);
>
> wherein the processing circuitry:
>
> accesses a certificate bound to the processing device and stored in the memory (column
> > 3: lines 14-21; column 4: lines 23-35, lines 59-67; lines 59-67; figure 2: 100-102);
> > and
>
> authenticates the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67;
> > figure 2: 100-102).

England does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drews in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Kavsan to include reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. This modification would

have been obvious because a person having ordinary skill in the art would have been motivated
to do so to provide a system and method for checking authorization of remote configuration
operations including generating a request credential manifest to request an update of
configurable parameters on a client platform as suggested by Drews in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component
of the processing device, access to one or more normally hidden memory locations or the enablement or
disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the
speed of a hardware component of the processing device, access to one or more normally hidden memory locations
or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440;
Figure 5: 558;). Therefore, it would have been obvious to a person having ordinary skill in the
art at the time the invention was made to modify the system disclosed by Geiger and Drew to
include set one or more of the speed of a hardware component of the processing device, access to one or more
normally hidden memory locations or the enablement or disablement of a hardware component. This
modification would have been obvious because a person having ordinary skill in the art would
have been motivated to do so to provide realize a system for providing security services in a data
communications network, which is easy to install and maintain as suggested Ylonen (column 4:
lines 25-25).

As per claim 12:

Geiger discloses a method of configuring a processing device, comprising the steps of:

accessing a certificate bound to the processing device (column 3: lines 14-21; column 4:

lines 23-35, lines 59-67; lines 59-67; figure 2: 100-102); and

authenticating the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-

67; figure 2: 100-102).

England does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drews in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; disclosed by Drews in column 2: lines 40-55; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Kavsan to include reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a system and method for checking authorization of remote configuration operations including generating a request credential manifest to request an update of configurable parameters on a client platform as suggested by Drews in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component

of the processing device, access to one or more normally hidden memory locations or the enablement or

disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the

speed of a hardware component of the processing device, access to one or more normally hidden memory locations

or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440;

Figure 5: 558;). Therefore, it would have been obvious to a person having ordinary skill in the

art at the time the invention was made to modify the system disclosed by Geiger and Drew to

include set one or more of the speed of a hardware component of the processing device, access to one or more

normally hidden memory locations or the enablement or disablement of a hardware component. This

modification would have been obvious because a person having ordinary skill in the art would

have been motivated to do so to provide realize a system for providing security services in a data

communications network, which is easy to install and maintain as suggested Ylonen (column 4:

lines 25-25).

As per claim 17:

    Geiger discloses a processing device comprising:

    processing circuitry (figure 1: 11);

    a memory coupled to the processing circuitry (figure 4: 452);

    wherein the processing circuitry:

    accesses a certificate bound to the processing device and stored in the memory (column

        3: lines 14-21; column 4: lines 23-35, lines 59-67; lines 59-67; figure 2: 100-102);

        and

authenticates the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67;

figure 2: 100-102).

England does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drews in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; disclosed by Drews in column 2: lines 40-55; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Kavsan to include reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a system and method for checking authorization of remote configuration operations including generating a request credential manifest to request an update of configurable parameters on a client platform as suggested by Drews in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or

disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger and Drew to include set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide realize a system for providing security services in a data communications network, which is easy to install and maintain as suggested Ylonen (column 4: lines 25-25).

As per claims 2, 7 and 13:

Geiger discloses a method, wherein the steps of accessing the certificate, authenticating the certificate, and reading configuration parameters from the certificate are performed whenever the processing device is initially powered (figure 2: 130; column 6: lines 5-45).

As per claims 3, 8, 14 and 19:

Drews discloses a method and a processing device, wherein the steps of accessing the certificate, authenticating the certificate, and reading configuration parameters from the certificate are repeated upon a system reset/boot (figure 2: 130; column 6: lines 5-45; column 11: lines 26-30).

As per claims 5, 10 and 16:

Geiger discloses a method, wherein the configuring step includes the step of configuring software in the processing device responsive to the configuration parameters (column 10: lines 7-30).

As per claim 11:

Geiger discloses a processing device, wherein the certificate can be created and modified only by the manufacturer of the processing device (column 17: lines 36-48).

As per claim 18:

Geiger discloses a processing device, wherein the processing circuitry accesses the certificate, authenticates the certificate, and reads configuration parameters whenever the processing device is initially powered (figure 2: 130; column 6: lines 5-45).

As per claim 19:

Geiger discloses a processing device, wherein the processing circuitry accesses the certificate, authenticates the certificate, and reads configuration parameters upon a system reset/boot (figure 2: 130; column 6: lines 5-45; column 11: lines 26-30).

As per claim 21:

Geiger discloses a processing device, wherein the processing circuitry configures software in the processing device responsive to the configuration parameters (column 4: lines 23-35; column 10: lines 7-30).

As per claim 22:

Geiger discloses a processing device, wherein the certificate can be created and modified only by the manufacturer of the processing device (column 17: lines 36-48).

As per claim 28:

Ylonen discloses a method, wherein the step of configuring the hardware of the processing device includes the step of selectively enabling or disabling operation of one or more hardware features components (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558).

Allowable Subject Matter

10.   Claims 23-27 and 29-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claims 23-27 and 29-31 include the following features which are not taught or further suggested and would not have been obvious over prior arts of record and these features are:

Reading **configuration parameters from and stored in an authenticated certificate**; using the parameters; configuring performance characteristics of the hardware in the processing device which includes:

> **configuring a processor speed of the hardware,**
>
> **configuring a memory speed for the device;**
>
> **configuring a bus speed for the device;**
>
> **restoring performance characteristics to a predetermined setting;**
>
> **periodic comparison of current performance with performance in the configuration parameter and restoring the performance characteristics;** and
>
> **Selectively enabling or disabling networking, audio, or video hardware.**

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the notice of reference cited in form PTO-892 for additional prior art.

12.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.   Accordingly, **THIS ACTION IS MADE FINAL**.   See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
however, will the statutory period for reply expire later than SIX MONTHS from the date of this
final action.

Contact Information

13.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Techane J. Gergiso whose telephone number is (571) 272-3784
and fax number is (571) 273-3784. The examiner can normally be reached on 9:00am - 6:00pm.
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization
where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/T. J. G./

Examiner, Art Unit 2137

/Emmanuel L. Moise/

Supervisory Patent Examiner, Art Unit 2137